

GENERAL INFORMATION

Land Records, Survey Plats, and Maps

Comprehensive parcel and area information can be found by researching various state and federal websites. A valuable resource developed by DNR and the Bureau of Land Management (BLM) is **www.landrecords.info**, which lists links to many DNR and BLM websites where you can find information such as recorded state survey plats, federal surveys, federal master title plats, state status plats, recorded subdivision covenants, mapping/GIS applications, and casefile summaries.

Note: It is the responsibility of the purchaser to review recorded plats/maps, surveys, and plat notes for specific information on easements, building setbacks, or other restrictions that will affect any individual parcel being offered. To display a parcel's case detail go to:

www.dnr.alaska.gov/projects/las/lasmenu.cfm

Under "Display Case Information" select Case Detail Information, under "Enter Account Number" select ADL from the drop down menu and then enter the parcel's six-digit ADL number. Click on "Search Plats" to display relevant plats, surveys and other records. Use the drop down menus to select individual documents or pages and click the yellow boxes to display pages or documents selected.

Topographic maps may be purchased from the United States Geological Survey (USGS), Earth Science Information Center, Grace Hall, Alaska Pacific University, 4210 University Drive, Room 208, Anchorage, AK 99508-4664, (907) 786-7011; or Map Office, Geophysical Institute, University of Alaska Fairbanks, 903 Koyukuk Drive, PO Box 757320, Fairbanks, AK 99775-7320, (907) 474-5823; or from numerous other commercial sources.

Full-size copies of the recorded survey plats are available at DNR Public Information Centers for \$2.00 per sheet or at the appropriate District Recorder's Office for \$3.00 per sheet.

Site Inspection

DNR strongly urges anyone wishing to purchase a parcel to first review all information and then personally inspect the land before submitting a bid. The land chosen by a bidder/applicant is taken "AS-IS" with no guarantees, expressed or implied, as to its suitability for any intended use. The submission of a bid constitutes acceptance of the parcel "AS-IS" and "WHERE-IS".

Access

The location of legal access to a parcel may be obtained from the appropriate regional DNR Public Information Center. It is your responsibility to properly locate yourself when crossing both public and private land to ensure you are on a legal right-of-way or section-line easement.

Establishing new routes or making improvements to existing rights-of-way or easements may require an authorization depending on the type of activity and the site-specific conditions. You are advised to apply for an access easement to reserve legal access to your parcel.





The state has no legal obligation to build roads or provide services to or within any subdivision or parcel. Rights-of-way shown on the survey plats designate areas reserved for access but do not necessarily indicate the existence of a constructed road. In many cases, roads have not been constructed. However, legal access does exist to all parcels. For instance, access may be via section-line easements (unless the section-line easement has been vacated), platted rights-of-way, trail easements, navigable water bodies, or across unreserved state land.

Physical access may be on roads, trails, rivers, and lakes by means of on- and off-road vehicles, snowmachines, airplanes, boats, or by foot. You should inquire at one of the DNR Public Information Centers or borough land office to see if there is an existing road on a reserved right-of-way.

PLEASE BE ADVISED THAT LEGAL ACCESS TO A PARCEL DOES NOT NECESSARILY CONSTITUTE DEVELOPED OR PRACTICAL ACCESS.

There are certain generally allowed uses on state land managed by the Division of Mining, Land and Water that do not require a permit from DNR (11 AAC 96.020). The fact sheet at www.dnr.alaska.gov/mlw/factsht/gen_allow_use.pdf contains more information about these generally allowed uses, including a list of areas where they do not apply and other restrictions.

Travel across unreserved state land may be made without a permit by the following methods:

- Hiking, backpacking, skiing, climbing, and other foot travel; bicycling; and traveling by horse or dogsled or with pack animals.
- Using a highway vehicle with a curb weight of up to 10,000 pounds, including a four-wheel drive vehicle or a pickup truck, or using a recreational-type off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, such as a snowmachine or four-wheeler, on or off an established road easement, if use of the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion. An authorization is required from ADF&G Division of Habitat for any motorized travel in fish-bearing streams. Contact and program information can be found online at www.habitat.adfg.alaska.gov.
- Landing an aircraft (such as a single-engine airplane or helicopter), or using watercraft (such as a boat, jet-ski, raft, or canoe), without damaging the land, including shoreland, tideland, and submerged land.

Access improvements on unreserved state land may be allowed without a permit under the following conditions:

- Brushing or cutting a trail less than five feet wide using only hand-held tools such as a chainsaw (making a trail does not create a property right or interest in the trail).
- Anchoring a mooring buoy in a lake, river, or marine waters, or placing a float, dock, boat haul out, floating breakwater, or boathouse in a lake, river, or in marine waters, for the personal, noncommercial use of the upland owner, if the use does not interfere with public access or another public use, and if the improvement is placed within the projected sidelines of the contiguous upland owner's parcel or otherwise has the consent of the affected upland owner.

Vehicles are required to use existing trails where possible. Where no trails exist, vehicles are required to use the legal access to minimize the number of trails across public lands.

Moving heavy equipment, such as a bulldozer, is not authorized on state land without a permit. A permit can be obtained from the appropriate DNR regional office.

RS 2477

Revised Statute 2477 is a federal law that granted states and territories unrestricted rights-of-way over federal lands that had no existing reservations or private entries. Historic RS 2477 trails and/or roads may exist on state land and the transfer of state land into private ownership does not extinguish pre-existing rights. Some rights-of-way could potentially be improved for access to valuable state resources, communities, and land. Others will be used as they have been in the past. Some may not be used at all, or may be developed only as foot trails. If in doubt whether there is an RS 2477 right-of-way across the parcel, check the public land records. More information regarding RS 2477 rights-of-way is available at any of the DNR Public Information Centers and online at www.dnr.alaska.gov/mlw/trails/rs2477.

Existing Easements and Reservations

All parcels offered in this brochure are subject to all platted and valid existing easements and reservations including rights-of-way, building setbacks, utility easements, pedestrian easements, roads, and trails. These easements and reservations may be shown graphically on the survey plat or may be listed in the 'Notes' section of the plat. It is your responsibility to thoroughly review the recorded survey or subdivision plat, any reservations represented in this brochure, and any other items found in the recorded land records for a complete picture of the restrictions and conditions that may affect each individual parcel, along with a physical inspection of the parcel. Subdivision survey plats may be viewed on-line at <http://plats.landrecords.info/>, or by visiting the nearest DNR Public Information Center.

All state-owned lands bordering section lines have a reserved public access easement 50 feet in width along each side of the section line, unless the easement has been vacated or officially removed. Contact the appropriate regional DNR office before constructing access in surveyed or unsurveyed section line easements.

All public access easements, including those along public or navigable water bodies, are reserved for public use. You may not obstruct a public access easement or make it unusable by the public.

The Alaska Railroad Corporation's 200 foot right-of-way, bridges, and trestles may NOT be used as access. Use of the railroad right-of-way is considered trespass and will be prosecuted (AS 11.46.330). The Alaska Railroad Corporation issues permits to cross the railroad. Contact the nearest railroad agent for more information.

Use of Adjacent State Land

Uses of unreserved state land, other than those uses stated in 11 AAC 96.020 (Generally Allowed Uses on State Land), may require a land use authorization from the Department of Natural Resources.

Driveways and Approach Roads

Driveways and/or approach roads from established Department of Transportation and Public Facilities (DOTPF) maintained roads may have to be constructed in order to provide access to the subdivision and individual parcels, and a permit may be required. Prior to any driveway or approach road construction utilizing a state managed right-of-way, the Right-of-Way Section of the appropriate regional office of DOTPF must be consulted. Parking on the side or shoulder of roads can cause traffic safety problems and damage to the road shoulder.



Archaeological Sites

The Alaska Historic Preservation Act prohibits the appropriation, excavation, removal, injury, or destruction of any state-owned historic, prehistoric (paleontological), or archaeological site without a permit from the Commissioner of the Department of Natural Resources (AS 41.35.200). Should any sites be discovered during parcel development, activities that may damage the site will cease. The Office of History and Archaeology in the Division of Parks and Outdoor Recreation should be notified immediately.

Mineral Estate

The state retains ownership of all oil, gas, coal, ore, minerals, fissionable materials, geothermal resources, and fossils that may be in or upon the land that it sells (AS 38.05.125). The state reserves the right to enter onto the land to explore for and develop these mineral resources. The state may lease these resources to mineral developers or allow mining locations to be staked. However, Alaska law also provides that the surface owner will be compensated for damages resulting from mineral exploration and development (AS 38.05.130).

Mineral closing orders, where they have been established, close the area to exploration and development of locatable minerals such as gold, copper, platinum, etc. Mineral closing orders do not apply to oil and gas leasing, coal leasing, shallow gas leasing, or exploration licensing, nor do they preclude reasonable surface access to these resources.

Timber and Other Building Materials on Site

Before receiving title to state land, purchasers are strictly prohibited from selling or removing from the parcel any surface resource such as stone, gravel, sand, peat, topsoil, timber, or any other material valuable for commercial or off-site purposes. Such materials may be used only on the parcel.

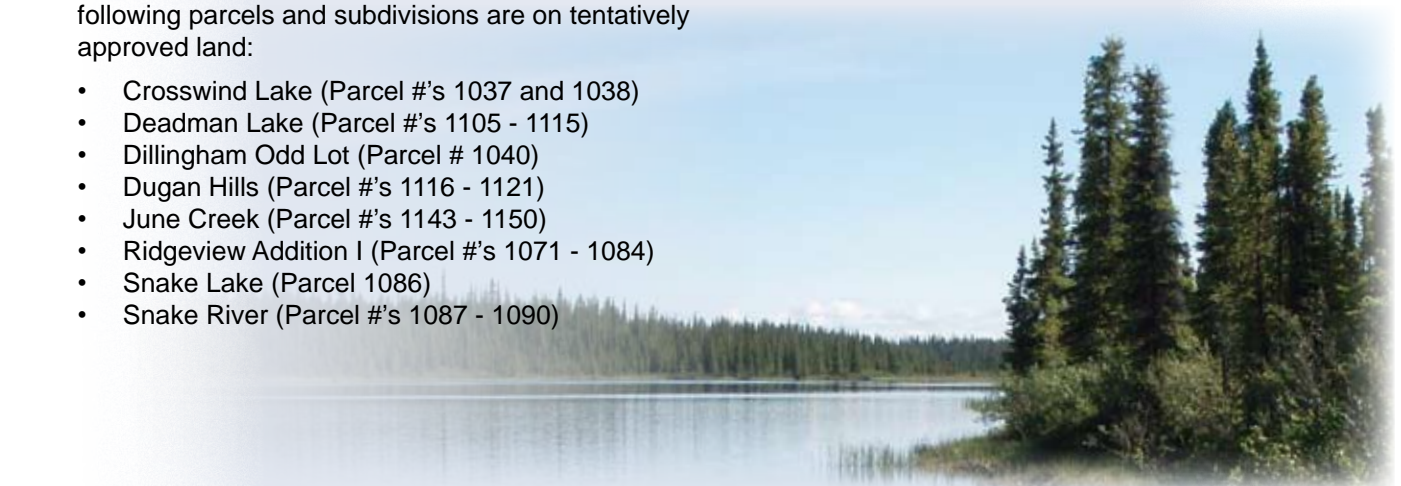
Tentatively Approved Land

The state has not received final patent from the federal government for some of the land in this sale. Such lands are designated as “tentatively approved”. Title for parcels on tentatively approved land will be conditioned upon the state receiving patent from the federal government. Department regulations provide that if for any reason the state is denied patent to the land, a sale, lease or grant on this conditional basis will be canceled, and the money paid to purchase the land will be refunded. The state has no further liability to the purchaser, lessee or any third party for termination of the contract (11 AAC 67.015).

Title to tentatively approved land will be conveyed via quitclaim deed. Ordinarily, there is little risk of loss of title associated with tentatively approved land, however, there may be practical problems including (1) title insurance companies may not provide title insurance unless this contingency is “excepted” from coverage, and (2) banks may not loan money for construction on, or the purchase of tentatively approved lands.

In the Spring 2010 Alaska State Land Offering, the following parcels and subdivisions are on tentatively approved land:

- Crosswind Lake (Parcel #'s 1037 and 1038)
- Deadman Lake (Parcel #'s 1105 - 1115)
- Dillingham Odd Lot (Parcel # 1040)
- Dugan Hills (Parcel #'s 1116 - 1121)
- June Creek (Parcel #'s 1143 - 1150)
- Ridgeview Addition I (Parcel #'s 1071 - 1084)
- Snake Lake (Parcel 1086)
- Snake River (Parcel #'s 1087 - 1090)





No Warranty of Suitability, Fitness, or Title

Parcels are sold “AS-IS” and “WHERE-IS” with all faults, and in the condition as of the date of the sale, with no guarantees, expressed, or implied, as to suitability or fitness for any intended use, or whether public utilities or services will be provided. The State makes no warranty, expressed or implied, nor assumes any liability whatsoever, regarding the social, economic, or environmental aspects of the parcel, including, without limitation, the soil conditions, water drainage, access, natural or artificial hazards that may exist, or the profitability of the parcel.

It is your responsibility to inspect the parcel and be thoroughly acquainted with the parcel condition prior to bidding. The State makes no warranty, expressed or implied, regarding marketable title. It is your responsibility to determine and consider encumbrances or the possibility of encumbrances, which may affect marketable title, including those of record or apparent by inspection of the property, in your decision to enter into a contract.

Homeowners Associations

Some subdivisions were created with the framework for a Homeowners Association in place. Homeowners Associations may be established to maintain roads, trails, easements, and related drainage improvements within the subdivision; maintain reserved or common areas; build or maintain a common sewer or water system within the subdivision; and to provide other necessary services until a unit of local government is able and willing to assume responsibility for them.

If a subdivision has an active, incorporated Homeowners Association, subsequent owners of parcels automatically become members. To find out if a subdivision has an active, incorporated Homeowners Association, contact the Alaska Department of Commerce, Community and Economic Development, Division of Corporation, Business, and Professional Licensing at (907) 465-2530, or online at <http://www.commerce.state.ak.us/occ/> by using the ‘Search Corporation Database’ feature and the name of the subdivision.

Taxes

Parcels offered in this disposal are subject to taxes and assessments levied by local taxing authorities. Failure to pay property taxes on parcels purchased under contract with the state is a violation of the purchase contract and may result in contract termination.

Restrictions on Subdividing

You may not subdivide or re-plat the land prior to receiving title. After title is conveyed, subdividing of any parcel must comply with state or local platting requirements and in accordance with the requirements of the Alaska Department of Environmental Conservation (DEC).

Sewer and Water

No individual water supply system or sewage disposal system shall be permitted on any lot unless such system is located, constructed, and equipped in accordance with the requirements of the Alaska Department of Environmental Conservation (DEC). Approval of such systems shall be obtained from DEC. Many of the subdivisions included in this land offering have some restrictions on the types of sewage disposal systems allowed. For more information on a particular subdivision or lot, please refer to the subdivision survey plat and contact the appropriate regional office of DEC.

Water Rights and Usage

To obtain water rights on your parcel, you must apply for a permit or water right from the Division of Mining, Land and Water. Information and applications for water rights are available at any of the DNR Public Information Centers and online at www.dnr.alaska.gov/mlw/water.

Improvements

It is your responsibility to properly locate all property boundary monuments on your parcel and to contain any improvements within the parcel (11 AAC 67.020). No improvements, other than access, may be placed or constructed within any easements or rights-of-way of record. This includes, but is not limited to, section-line easements, public access easements, road rights-of-way, utility easements, and building setbacks.

It is your responsibility to obtain all necessary authorizations from federal, state, or local agencies prior to placing or constructing any improvements.

Previously Authorized Improvements/Hazards

Some parcels in this brochure have abandoned improvements and/or limited development on the land. Unless otherwise noted, the minimum bid price for these parcels includes the value of the improvements. DNR has not necessarily inspected all the parcels in this brochure to determine if refuse or hazardous waste is present. The purchaser of the parcel is responsible for the disposal of any existing refuse or wastes. You should inspect all parcels prior to bidding/purchasing.

Future Offerings

The state reserves the right to offer additional parcels of land adjacent to or near previously sold parcels, thereby potentially increasing the population density in that area.

Nomination of Land for Future Offerings

DNR seeks land nominations from the public for state land sales and considers public interest when offering land through the auction program. If you are interested in nominating land for state land sale programs, fill out a nomination form and return it to a Public Information Center. You will need to include basic information about the location of the nominated land, whether or not the land is owned by the State of Alaska, and if it is classified for settlement under land use plans.

For more information about the nomination process and to acquire nomination forms, see the fact sheet 'Nominating Land for State Land Sale Programs' at:

www.dnr.alaska.gov/mlw/factsht/land_nominating.pdf.

Multiple Uses

The land sale described in this brochure is only one of the land uses that may occur in any given area. A variety of other authorized uses such as mining or timber sales can and do occur on municipal, state, or federal lands near the offered parcels. Such uses not only affect adjacent land, but also roads that are intended for access to those areas. Large truck and heavy equipment traffic may occur, and in some cases, small roads or trails are developed, improved, and maintained to accommodate increased traffic. It is strongly recommended that you take this into consideration when applying for the purchase of state land.

Fire

Some state lands are in areas without fire protection or with only limited fire protection. The state assumes no duty to fight fires in these areas. Wildfires should be considered a serious potential hazard even in areas designated for fire protection. Visit the Division of Forestry's Fire Information webpage for full descriptions of current Interagency Fire Management plans and more information. www.forestry.alaska.gov/fire/.

If you wish to develop your parcel, you should plan on implementing wildfire mitigation methods, including establishing a defensible space. Existing interagency programs, such as FIREWISE at www.firewise.org/, can provide prospective landowners with valuable information regarding wildfire mitigation.

In specific areas of the state, burning permits are required for all burning other than fires contained within an approved device, and fires used for signaling, cooking or warming. All other burning in the permit areas requires a permit during the fire season. There are potential liabilities if your fire escapes control (AS 41.15.060, AS 41.15.090). For further information regarding wildfire mitigation and burning permits, contact the regional DNR Division of Forestry office. A list of their locations, addresses, and telephone numbers may be obtained from any of the DNR Public Information Centers as well as on-line at www.forestry.alaska.gov/.

Fish Habitat Requirements

Conducting any development activity across or within (below the ordinary high water line of) a specified anadromous waterbody requires the prior written approval of the Alaska Department of Fish and Game (ADF&G), Division of Habitat, which is responsible for reviewing and, if appropriate, issuing permits for these activities (AS 16.05.841).

A list of common activities that require permits is available at www.habitat.adfg.alaska.gov/.

Failure to abide by these requirements may lead to a violation of state law and the charge of a misdemeanor. Contact ADF&G Division of Habitat for more information on obtaining permits.

Fish and Game Requirements

Alaska Department of Fish and Game regulations allow taking game in defense of life or property only when all other practical means to protect life and property have been exhausted, and the necessity for taking the animal is not brought about by harassment or provocation of the animal, by unreasonable invasion of the animal's habitat, or by the improper disposal of garbage or a similar attractive nuisance (5 AAC 92.420).

Eagle Nesting Sites

Federal law prohibits any disturbance of bald eagles or their nests. The U.S. Fish and Wildlife Service (USFWS) enforces this law. The USFWS generally recommends no clearing of vegetation within 330 feet of any nest. No construction or other potentially disturbing activity should occur within 660 feet of any nest between March 1 and June 1. Between June 1 and August 31, no construction activity should occur within 660 feet of active eagle nests until after juvenile birds have fledged. Nest trees should not be disturbed at all. Consult with USFWS on the siting of structures and roads or cutting mature trees within 330 feet of a nest tree.





Wetlands

Some state land offerings contain waters of the United States, including wetlands. Section 10 of the Rivers and Harbors Act requires a permit for any structures or work in navigable waters of the United States, which includes those waters subject to the ebb and flow of the tide and/or presently used, has been used in the past, or may be used in the future to transport interstate or foreign commerce. Section 404 of the Clean Water Act requires a permit for the discharge of dredged or fill material into all waters of the United States, including wetlands.

Wetlands perform many important functions, including providing habitat for wildlife, preserving water quality, providing flood protection, and enhancing groundwater recharge. Before putting any dredged or fill material in wetlands and/or waters (for example, to build a road, or any other land clearing activities), and/or before working in or placing any structures (for example, dredging, or constructing a dock or pier) into navigable waters, purchasers need a permit from the U.S. Army Corps of Engineers.

Working in or building structures in a navigable water of the United States and/or discharging dredged or fill material into waters of the United States, including wetlands, without a valid permit may result in civil fines or criminal charges. For a wetland determination on your parcel or more information on permit requirements contact the U.S. Army Corps of Engineers, Alaska District, at (907) 753-2712 or toll free within Alaska at (800) 478-2712 or visit their website at www.poa.usace.army.mil/.

Wildlife

Development activities may potentially displace wildlife. You are encouraged to contact the Alaska Department of Fish and Game for information on how to minimize conflicts with wildlife.